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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

(X) Original                      ( ) Supplemental                      ( ) Substitute                      ( ) PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **"PLURIPOTENTIAL EMBRYONIC STEM CELLS AND METHODS OF MAKING SAME"**, which is described and claimed in the specification

- (check one)      ☐ which is attached hereto, or  
☒ which was filed on March 25, 1994, as Application Serial No. 08/217,921 and with amendments through (if applicable), or  
☐ in International Application No. PCT/, filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate relating to this subject matter having a filing date before that of the application on which priority is claimed:

| PRIOR FOREIGN APPLICATIONS:<br>(ENTER BELOW IF APPLICABLE) |         |                         | PRIORITY CLAIMED<br>(MARK APPROPRIATE BOX BELOW) |    |
|------------------------------------------------------------|---------|-------------------------|--------------------------------------------------|----|
| APP. NUMBER                                                | COUNTRY | DAY/MONTH/YEAR<br>FILED | YES                                              | NO |
| N/A                                                        |         |                         |                                                  |    |
|                                                            |         |                         |                                                  |    |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION<br>SERIAL NO. | FILING DATE  | STATUS<br>(MARK APPROPRIATE COLUMN BELOW) |         |           |
|---------------------------|--------------|-------------------------------------------|---------|-----------|
|                           |              | PATENTED                                  | PENDING | ABANDONED |
| 07/958,562                | Oct. 8, 1992 |                                           | X       |           |
|                           |              |                                           |         |           |

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William H. Needle (Reg. No. 26,209); Sumner C. Rosenberg (Reg. No. 28,753); David G. Perryman (Reg. No. 33,438); Gwendolyn D. Spratt (Reg. No. 36,016); Alan L. Cassel (Reg. No. 35,842); and William L. Warren (Reg. No. 36,714).

Address all telephone calls to David G. Perryman at telephone no. (404) 688-0770.  
Address all correspondence to:

David G. Perryman, Esq.  
NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Brigid L. M. Hogan

Inventor's signature: Brigid L. M. Hogan

Date: April 26<sup>th</sup> 1994

Residence: 1303 Robert E. Lee Lane

Post Office Address: Brentwood, Tennessee 37207

Citizenship: United Kingdom



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Applicant or Patentee: Brigid L. M. Hogan

Attorney's

Serial or Patent No.: 08/217,921

Docket No.: 1616.002

For: "PLURIPOTENTIAL EMBRYONIC STEM CELLS AND METHODS OF MAKING SAME"

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Vanderbilt University

ADDRESS OF ORGANIZATION: 405 Kirkland Hall, Nashville, Tennessee 37240

TYPE OF ORGANIZATION:

☒ University or other institution of higher education

Name of state: Tennessee

Citation of statute

☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) if located in The United States of America☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America  
(Name of state )  
(Citation of statute )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "PLURIPOTENTIAL EMBRYONIC STEM CELLS AND METHODS OF MAKING SAME" by inventor Brigid L. M. Hogan described in the specification filed on March 25, 1994.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

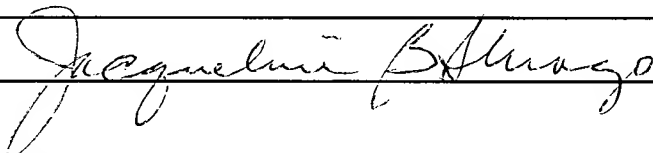
NAME Plurion, Inc.ADDRESS 127 Peachtree Street, N.E., Atlanta, Georgia 30303☐ INDIVIDUAL☒ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

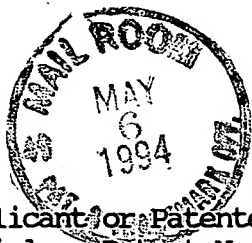
NAME OF PERSON SIGNING Jacqueline B. Shrago  
TITLE IN ORGANIZATION Director, Technology Transfer  
ADDRESS OF PERSON SIGNING VANDERBILT UNIVERSITY, 405 Kirkland Hall  
Nashville, Tennessee 37240

SIGNATURE



DATE

4/19/98



Applicant or Patentee: Brigid L. M. Hogan

Serial or Patent No.: 08/217,921

Attorney's Docket No.: 1616.002

For: "PLURIPOTENTIAL EMBRYONIC STEM CELLS AND METHODS OF MAKING SAME"

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Plurion, Inc.  
ADDRESS OF CONCERN: 127 Peachtree Street, N.E.  
Atlanta, Georgia 30303

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "PLURIPOTENTIAL EMBRYONIC STEM CELLS AND METHODS OF MAKING SAME" by inventor Brigid L. M. Hogan described in the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME Vanderbilt University  
ADDRESS 405 Kirkland Hall, Nashville, Tennessee 37240  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING David G. Perryman  
TITLE IN ORGANIZATION Authorized Representative, Plurion, Inc.  
ADDRESS OF PERSON SIGNING 127 Peachtree Street, N.E., Atlanta, Georgia 30303

SIGNATURE David G. Perryman DATE 5-2-94